

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	
)	
Amendment of Section 73.202(b),)	
FM Table of Allotments,)	
FM Broadcast Stations.)	
)	
(O'Brien, Texas)	)	MB Docket No. 02-296
	)	RM-10571
)	
(Stamford, Texas)	)	MB Docket No. 02-297
	)	RM- 10572
)	
(Panhandle, Texas)	)	MB Docket No. 02-298
	)	RM-10574
)	
(Shamrock, Texas)	)	MB Docket No. 02-299
	)	RM- 10575
)	
(Colorado City ,Texas)	)	MB Docket No. 02-300
	)	RM- 10576
)	
(Taloga, Oklahoma)	)	MB Docket No. 02-302
	)	RM-10579

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: February 12, 2003

Released: February 18, 2003

By the Assistant Chief, Audio Division:

1. The Audio Division considers herein a multiple docket *Notice of Proposed Rule Making* ("Notice")¹ setting forth six separate proposals to amend the FM Table of Allotments, Section 73.202(b) of the Rules. Each proposal involves adding a community to the FM Table of Allotments. Each petitioner filed comments reiterating its intention to file an application for construction permit at each locality if granted.

2. This is a multiple docket *Report and Order* issued in response to a Commission *Public Notice* released October 2, 1998 (DA 98-1987). We are combining separate FM allotment proposals into a single *Report and Order*. Each proposal has its own docket and rule making number and the Commission's Reference Center will maintain a separate file for each docket. As discussed in the *Public Notice*, this procedure will conserve Commission resources and expedite the processing of FM allotment petitions for rule making by avoiding duplicative actions. We discuss the following proposals:

¹ *O'Brien, Texas, et al.*, 17 FCC Rcd 18128 (2002).

A. MB Docket No. 02-296; RM-10571

Petitioner: Katherine Pyeatt
6655 Aintree Circle
Dallas, Texas 75214

Determination: Allot Channel 261A at O'Brien as the community's first local service.

Accordingly, pursuant to the authority contained in Sections 4 (i), 5(c)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective April 4, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, as follows:

<u>Community</u>	<u>Channel</u>
O'Brien, Texas	261A

Coordinates: 33-24-47 NL and 99-51-02 WL.

Additional Information: Channel 261A can be allotted at O'Brien at a site 3.7 kilometers (2.3 miles) north of the community. Petitioner states that the community has a population of 163 persons, according to the Texas State Data Center. It has a mayor, city hall, post office, school district and churches.

FCC Contact: Victoria McCauley (202) 418-2180.

B. MB Docket No. 02-297; RM-10572

Petitioner: Katherine Pyeatt
6655 Aintree Circle
Dallas, Texas 75214

Determination: Allot Channel 233A at Stamford, Texas, as the community's third local aural service.

Accordingly, pursuant to the authority contained in Sections 4 (i), 5(c)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective April 4, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, as follows:

<u>Community</u>	<u>Channel</u>
Stamford, Texas	295C2, 233A

Coordinates: 33-00-57 NL and 99-47-46 WL.

Additional Information: Channel 233A may be allotted at Stamford with a site restriction of 7.8 kilometers (4.9 miles) north of the community. Stations KOES(FM) and KVRP(AM) are also licensed to the community.

FCC Contact: Victoria McCauley (202) 418-2180.

C. MB Docket No. 02-298; RM-10574

Petitioner: Linda Crawford
3500 Maple Avenue #1320
Dallas, Texas 75219

Determination: Allot Channel 291C3 at Panhandle, Texas, as the community's first local aural transmission service.

Accordingly, pursuant to the authority contained in Sections 4 (i), 5(c)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective April 4, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, as follows:

<u>Community</u>	<u>Channel</u>
Panhandle, Texas	291C3

Coordinates: 35-20-38 NL and 101-10-54 WL.

Additional Information: Channel 291C3 can be allotted to Panhandle with a site restriction of 18.0 kilometers (11.2 miles) east of the community. Petitioner states that the community of Panhandle is incorporated with a population in excess of 2,275 persons. It is the county seat of Carson County, Texas. It has a mayor, city hall and fire department. It also has a post office, school system, and local churches. It is not within an urbanized area and neither the 70dBu nor the 60 dBu contour encompasses an urbanized area.

FCC Contact: Victoria McCauley (202) 418-2180.

D. MB Docket No. 02-199; RM-10575

Petitioner: Maurice Salsa
5615 Evergreen Valley Drive
Kingwood, Texas 77345

Determination: Allot Channel 271A at Shamrock, Texas, as the community's second local aural transmission service.

Accordingly, pursuant to the authority contained in Sections 4 (i), 5(c)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective April 4, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, as follows:

<u>Community</u>	<u>Channel</u>
Shamrock, Texas	224A, 271A

Coordinates: 35-12-22 NL and 100-16-23 WL.

Additional Information: Channel 271A can be allotted at Shamrock with a site restriction of 2.4

kilometers (1.5 miles) west of the community.

FCC Contact: Victoria McCauley (202) 418-2180.

E. MB Docket No. 02-300; RM-10576

Petitioner: Linda Crawford
3500 Maple Avenue #1320
Dallas, Texas 75219

Determination: Allot Channel 257A at Colorado City, Texas as the community's third local aural transmission service.

Accordingly, pursuant to the authority contained in Sections 4 (i), 5(c)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective April 4, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, as follows:

<u>Community</u>	<u>Channel</u>
Colorado City, Texas	257A, 296A

Coordinates: 32-26-23 NL and 100-57-29 WL.

Additional Information: Channel 257A can be allotted at Colorado City with a site restriction of 10.1 kilometers (6.3 miles) northwest of the community.

FCC Contact: Victoria McCauley (202) 418-2180.

F. MB Docket No. 02-302; RM-10579

Petitioner: Robert Fabian
4 Hickory Crossing Lane
Argyle, Texas 76226

Determination: Allot Channel 226A at Taloga, Oklahoma, as the community's first local aural transmission service.

Accordingly, pursuant to the authority contained in Sections 4 (i), 5(c)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective April 4, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, as follows:

<u>Community</u>	<u>Channel</u>
Taloga, Oklahoma	226A

Coordinates: 35-57-57 NL and 98-59-11 WL.

Additional Information: Channel 226A can be allotted at Taloga with a site restriction of 7.8 kilometers (4.8 miles) south of the community. Petitioner states that the community has a population of more than 350 persons, and that it has its own mayor, volunteer fire department, school district and a

number of local churches. It claims that allotment of the channel is in the public interest because it will provide additional diversity and an outlet for local self-expression to the residents of Taloga.

FCC Contact: Victoria McCauley (202) 418-2180.

3. Filing windows for Channels will not be opened at this time. Instead the issue of opening these allotments for auction will be addressed by the Commission in a subsequent *Order*.

4. For further information concerning a proceeding listed above, contact the FCC contact listed for that proceeding.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau